



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: June 10, 2004

COUNCIL DISTRICT: 7

SUBJECT: PDC03-057. LOCATED ON THE EASTERLY SIDE OF SENTER ROAD, APPROXIMATELY 600 FEET SOUTHERLY OF NEEDLES DRIVE.

RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend that the City Council approve the subject Planned Development Rezoning.

BACKGROUND

On June 9, 2004, the Planning Commission held a public hearing to consider a Planned Development rezoning from A Agriculture and LI Light Industrial to A (PD) Planned Development to allow up to 218 affordable, attached residential units and associated parking garages and improvements, and approximately 8,500 square feet of residential support uses.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning.

Staff made a brief presentation on the project and then Chris Block, representing Charities Development, one of the two project developers, spoke in favor of the project and asked the Commission to support the staff recommendation and forward a recommendation of approval to the City Council. David Neale, representing the other project developer, Core Development, also spoke in favor of the project. Mr. Block indicated that he intended to build a high quality, affordable housing development.

Staff noted that since the original report was prepared, two additional letters had been received: one from the Santa Clara Valley Water District (SCVWD) and the other from the Department of Toxic Substance Control. Staff noted that the SCVWD comments had been addressed conceptually in the Planned Development Zoning and could be addressed in greater detail part of the Planned Development Permit. In response to the comments from the Department of Toxic Substance Control, staff recommended that the following condition be added to the proposed Planned Development Rezoning:

Prior to issuance of a Planned Development Permit, the project developer shall submit a Phase II soil analysis for pesticides, lead, arsenic, and mercury to the satisfaction of the Director of Planning, Building and Code Enforcement. If contaminated soils are found at actionable levels, the project developer shall submit a remediation plan in conformance with all applicable standards prior to issuance of a Planned Development Permit and shall implement the plan to the satisfaction of the Director of Planning, Building and Code Enforcement.

A representative of the Housing Action Coalition spoke in favor the proposed project. Six neighbors, property owners in the neighborhood and members of the Tully/Senter SNI Group, spoke in opposition to the proposed development. Concerns expressed by the neighbors included: the appropriateness of high density and affordable housing in the area, over-concentration of affordable housing in Council District 7, and the need to spread affordable housing throughout the City. One neighbor indicated that she believed that up to 60 percent of all new affordable housing projects had been located within Council District 7, based on her discussions with representatives of the Housing Department. The Commission concurred with the neighbors and staff on the recent concentration of new affordable housing development in this particular area of San José but commented that there had been more opportunity sites for housing in District 7 in recent years.

Other concerns expressed by the neighbors included adequacy of open space and parking. Staff indicated that the development met or exceeded the open space and parking requirements of the Residential Design Guidelines. Concerns were also expressed regarding impacts to schools and the lack of ownership housing, resulting in a more transitory population and with greater impacts to the schools.

Kiet Tran, a residential property owner on Senter Road who would be surrounded on three sides by the proposed project, raised concerns with the adequacy of the proposed setbacks adjacent to his family's property. The project developers and staff agreed to work to improve the interface between the project and Mr. Tran's property through landscape design at the Planned Development permit stage.

Several Commissioners stated that the project would be of high quality, would be compatible with the surrounding neighborhood, and would provide a new better neighborhood connection to the existing elementary school to the southeast. The Commissioners also expressed the continued need to provide affordable housing and to build neighborhoods, not residential enclaves.

The Planning Commission then closed the public hearing.

PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 1,000 feet of the project site.

COORDINATION

This project was coordinated with the Department of Public Works, Fire Department, Police Department, Environmental Services Department and the City Attorney.

CEQA

Negative Declaration

STEPHEN M. HAASE
Secretary, Planning Commission

- c: Dan Wu, Director Housing Development, Charities Housing Development, 465 South First Street, San Jose, CA 95113
Paul Ring, Core Development, 470 South Market Street, San Jose, CA 95113
Brad Brown / Dave Mitchell, City of San Jose, Parks, Recreation and Community Services Department
Tom MacRostie, City of San Jose, Housing Department
Patrice Shaffer, Planning (SNI)
Scott Reese, Deputy Director, Community Facilities Development, Parks, Recreation and Neighborhood Services Department, 170 West San Carlos Street, San Jose, CA 95113
Officer Bill Miller, Police Department
Servando Perez, Santee Neighborhood Action Center, 1313 Audubon Drive, San Jose, CA 95122
Martin Renteria, 1386 McQuesten Drive # D, San Jose, CA 95122
Jodi Starbird / Judy Shanley, David J. Powers & Associates, Inc., 1885 The Alameda, Suite 204, San Jose, CA 95126
Kevin Wilcox, David Baker and Partners, 461 Second Street, Suite C 127, San Francisco, CA 94107
Mark Helton, Guliani & Kull, 4880 Stevens Creek Boulevard, Suite 205, San Jose, CA 95129
Gregory Lewis, Landscape Architect, 736 Park Way, Santa Cruz, CA 95065
Kiet Tran, 1960 Senter Road, San Jose, CA 95112-2603
Samuel Yung, Santa Clara Valley Water District, 5750 Almaden Expressway, San Jose, CA 95118-3686
Zohary Bassett, Adams Broadwell Joseph and Cardoza, Attorneys at law, 651 Gateway Boulevard, Suite 900, South San Francisco, CA 94080

